

HOUSE BILL 17

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2003 Regular Session
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By: **Delegate Donoghue**

Introduced and read first time: January 9, 2003

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: February 13, 2003

CHAPTER _____

1 AN ACT concerning

2 **Maryland Pharmacy Assistance Program - Eligibility**

3 FOR the purpose of altering the eligibility guidelines for participation in the
4 Maryland Pharmacy Assistance Program; making a certain technical correction;
5 and generally relating to pharmacy assistance programs.

6 BY repealing and reenacting, with amendments,
7 Article - Health - General
8 Section 15-124
9 Annotated Code of Maryland
10 (2000 Replacement Volume and 2002 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Health - General**

14 15-124.

15 (a) [(1)] The Department shall maintain a Maryland Pharmacy Assistance
16 Program for low income individuals whose:

17 [(i)] (1) Assets are not more than [1.5 times the amount of
18 accountable resources according to the asset schedule of the Maryland Medical
19 Assistance Program] THE LEVEL ESTABLISHED BY THE FEDERAL CENTERS FOR
20 MEDICARE AND MEDICAID SERVICES UNDER THE QUALIFIED MEDICARE
21 BENEFICIARY PROGRAM; and

- 1 [(ii) (2) Gross annual income does not exceed]:
- 2 1. \$4,600 plus \$500 for each individual over 1 in a family
3 unit] 116% OF THE FEDERAL POVERTY GUIDELINES FOR AN INDIVIDUAL OR 100% OF
4 THE FEDERAL POVERTY GUIDELINES FOR A FAMILY OF TWO OR MORE]; and
- 5 2. An annual increase set by the Secretary under paragraph
6 (2)(i)4 of this subsection.
- 7 (2) (i) 1. In this paragraph the following words have the meanings
8 indicated.
- 9 2. "Income disregard" means the exclusion of up to \$1,000 of
10 annual income earned by an individual as a client of a sheltered workshop if the
11 individual's sole other income is derived from a Social Security payment.
- 12 3. "Sheltered workshop" means a workshop licensed by the
13 Developmental Disabilities Administration under Title 7, Subtitle 9 of this article.
- 14 (ii) For the purpose of paragraph (1) of this subsection, the
15 Secretary shall:
- 16 1. In order to determine eligibility for the Maryland
17 Pharmacy Assistance Program, deduct any income disregards from the countable
18 gross income of a unit that contains a disabled individual;
- 19 2. Define excluded assets;
- 20 3. Establish a family unit structure; and
- 21 4. Beginning July 1, 1985, increase annually at the time
22 Social Security benefits are increased, rounded to the next highest even \$50 level, the
23 income level within which an individual is eligible for benefits under the Maryland
24 Pharmacy Assistance Program by the larger of:
- 25 A. The percentage by which benefits under Title II of the
26 Social Security Act (42 U.S.C. 401-433) are increased by the federal government due
27 to cost-of-living changes as that percentage is reported in the Federal Register
28 pursuant to 42 U.S.C. 415(I)(2)(D) but not to exceed 8 percent; or
- 29 B. The dollar amount by which the medical assistance income
30 schedules are increased by the State].
- 31 (b) (1) (i) Reimbursement under the Maryland Pharmacy Assistance
32 Program may be limited to maintenance drugs, anti-infectives, and AZT as specified
33 in regulations to be issued by the Secretary after consultation with the Maryland
34 Pharmacists Association.
- 35 (ii) 1. For any drug on the Program's interchangeable drug list,
36 the Program shall reimburse providers in an amount not more than it would

1 (e) The Secretary shall develop a program, in consultation with appropriate
2 agencies, that will provide information to ineligible Maryland Pharmacy Assistance
3 Program applicants regarding other programs that they may be eligible for including
4 the Maryland Medbank Program established under § 15-124.2 of this subtitle and the
5 [short-term prescription drug subsidy plan established under Subtitle 6 of this title]
6 SENIOR PRESCRIPTION DRUG PROGRAM ESTABLISHED UNDER TITLE 14, SUBTITLE 5
7 OF THE INSURANCE ARTICLE.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2003.